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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/722,377	11/28/2000	Paul M.J. Schulze-Lefert	620-125	5106
23117	7590	05/28/2004	EXAMINER	
NIXON & VANDERHYE, PC 1100 N GLEBE ROAD 8TH FLOOR ARLINGTON, VA 22201-4714			IBRAHIM, MEDINA AHMED	
			ART UNIT	PAPER NUMBER
			1638	

DATE MAILED: 05/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Response to Rule 312 Communication	Application No. 09/722,377	Applicant(s) SCHULZE-LEFERT ET AL.	
	Examiner Medina A Ibrahim	Art Unit 1638	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☐ The amendment filed on 24 March 2004 under 37 CFR 1.312 has been considered, and has been:

a) ☒ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.

c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☐ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In The Claims:

Claim 79 (Currently amended). An isolated polynucleotide comprising a nucleotide sequence selected from the group consisting of :

- a) a [the] nucleotide sequence encoding SEQ ID NO: 1;
- b) a nucleotide sequence having at least 95% sequence identity to SEQ ID NO: 2, wherein the nucleotide sequence encodes a polypeptide having disease resistance activity;
- c) a polynucleotide encoding a polypeptide having at least 95% sequence identity to SEQ ID NO:1, wherein the polypeptide has disease resistance activity; and
- d) a complement of (a), (b) or (c).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Medina A. Ibrahim whose telephone number is (571) 272-0797. The Examiner can normally be reached Monday -Thursday from 8:00AM to 5:30PM and every other Friday from 9:00AM to 5:00 PM . Before and After final responses should be directed to fax nos. (703) 872-9306 and (703) 872-9307, respectively.

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If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Dr. Amy Nelson, can be reached at (571) 272-0804.

5/25/04

Mai